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LETTER DATED 22 MARCH 1994 FROM THE CHAIRMAN OF THE DELEGATION OF THE RUSSIAN FEDERATION ADDRESSED TO THE CHAIRMAN OF THE CONFERENCE

Further to the discussion at the third session of the Conference, I have the honour to transmit to you, annexed hereto, a paper prepared by the delegation of the Russian Federation entitled "Threat of the destruction of Alaska pollack stocks in the Sea of Okhotsk as a consequence of continued unregulated and unscientific fishing in its enclave".

We should be grateful if you would have this document circulated as a document of the Conference.

(Signed) V. ZILANOV
Chairman of the delegation
of the Russian Federation

Annex

THREAT OF THE DESTRUCTION OF ALASKA POLLACK STOCKS IN THE SEA OF OKHOTSK AS A CONSEQUENCE OF CONTINUED UNREGULATED AND UNSCIENTIFIC FISHING IN ITS ENCLAVE

Submitted by the delegation of the Russian Federation

1. At the second session of the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks (July 1993), the delegation of the Russian Federation drew the attention of participants to the reality of the catastrophic consequences of unregulated and unscientific fishing for Alaska pollack in the enclave of the Sea of Okhotsk (A/CONF.164/L.21). In view of the fact that the fleets of a number of non-coastal States are continuing to engage in such destructive fishing, the delegation of the Russian Federation once again draws the attention of participants in the Conference to this important problem, which calls for urgent practical action. In this connection, we would point out that the Sea of Okhotsk is the only semi-enclosed sea in the world, having an enclave surrounded by the zone of a single State. Fishing in that area, as in the exclusive economic zone, must therefore be carried out in strict compliance with scientific recommendations. It is essential to take into account the biological status of the stocks of Alaska pollack and of associated species. The measures for the conservation of stocks of Alaska pollack are designed to ensure sustainable long-term fishing, are in keeping with the precautionary approach and include the determination of the total allowable catch (TAC), the limitation of fishing areas and seasons, and restrictions according to type of vessel, fishing gear, and so on (A/CONF.164/L.21).

The enclave in the Sea of Okhotsk, which is in the central part of the Sea, comprising 2.7 per cent of its total area, is where the populations of Alaska pollack, which reproduce in the north-west, east and north of the Sea, intermingle, and there has long been a permanent ban on fishing by Russian fishermen in that area.

Strict compliance with the set of measures for the conservation of stocks of Alaska pollack in the Okhotsk Sea, together with the regulation on a scientific basis of fishing by both Russian and foreign fishermen, operating on the basis of intergovernmental agreements, would ensure the maintenance of the status of all the populations of the species at a good level and the sustainable development of fishing.

2. In 1991, however, vessels of countries with no coastlines in the region began unscientific and unregulated fishing for Alaska pollack in the enclave of the Okhotsk Sea and this fishing is still continuing today. These vessels have transferred their operations from the enclave in the Bering Sea, where they were previously engaging in similarly unregulated and unscientific fishing which resulted in damage to the stocks. The fishing which started in the enclave of the Okhotsk Sea has virtually destroyed the balanced system for the conservation of stocks and runs completely counter to the basic need for a precautionary approach to fisheries management.

Those countries which have started to fish in the area have virtually excluded themselves from any preliminary consultations, from negotiations with the coastal States concerning the status of stocks of Alaska pollack in the area, and from the existing measures for the conservation of the stocks.

As a result of unregulated and unscientific fishing for Alaska pollack in the enclave by vessels of countries with no coastline in the region, the TAC determined scientifically for the Sea of Okhotsk as a whole is being exceeded by more than 50 per cent every year. As a result, already in 1993-1994 a sharp decline was noted in the proportion of the older age-group of Alaska pollack in the catch, and this is leading to a sharp decline in the reproductive capacity of the stock.

3. There is a problem of pollution of the marine environment. For instance, a large quantity of discards of undersized fish, oil-polluted water, catch-processing waste, remains of nets and packing cases has been recorded on the drift ice in the enclave. Foreign fishing vessels use the enclave as a base for illegal poaching of fish even in the economic zone of the Russian Federation in the Sea of Okhotsk. This is forcing the Russian authorities to expend additional resources for the protection of its zone.

4. The alarming situation which has developed in that area of the Sea of Okhotsk is giving rise to legitimate indignation among the fishing population of the Russian Far East, whose livelihood depends to a large extent on marine fishing. The problem of the conservation of stocks of Alaska pollack in the light of the unregulated and unscientific fishing for that species is at the centre of attention for the general public, the parliament, the Government and the President of the Russian Federation.

5. In an attempt to prevent the destruction of stocks of Alaska pollack, the Russian Federation has in recent years taken various steps at the international level with a view to achieving positive results. For instance, in 1993 the first and second sessions of an international conference on the conservation and management of marine resources in the open sector of the Sea of Okhotsk and a corresponding meeting of scientists from interested countries on problems relating to the management and conservation of stocks of Alaska pollack in the Sea of Okhotsk were held in Moscow. Unfortunately, it was not possible during those meetings to reach agreements which would prevent the destruction of the stocks of Alaska pollack because of the unconstructive attitude of a number of countries.

6. At the second session of the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks (July 1993), the Russian Federation and the United States of America submitted a joint statement (A/CONF.164/L.33) in which they expressed their concern over the existing state of affairs in the enclave of the Sea of Okhotsk, reaffirmed the need for a moratorium on fishing in the area and expressed the hope that the problem would be resolved as soon as possible.

A number of countries showed good will and associated themselves with the Russian conservation measures, voluntarily stopping fishing for Alaska pollack by their vessels in the enclave of the Sea of Okhotsk. Some countries, however,

are still continuing to engage in unregulated and unscientific fishing, which is destroying the stocks and creating a real threat to the whole ecosystem of the Sea of Okhotsk. Moreover, new fleets of other countries are joining in this fishing.

7. The situation in the enclave of the Sea of Okhotsk is becoming more acute. Russian fishermen are demanding an end to the destructive fishing in the area. The continuation of unregulated and unscientific fishing in the enclave of the Sea of Okhotsk without regard for the stock conservation measures elaborated and approved by the Russian Federation, as a coastal State, and applied on a non-discriminatory basis is creating a real threat to the entire ecosystem of one of the most productive areas of the world's oceans.

In these conditions, the Russian Federation draws the attention of the participants in the Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, in particular those States whose vessels are continuing to engage in unregulated and unscientific fishing for Alaska pollack in the enclave of the Sea of Okhotsk, to the need for urgent measures to conserve the unique ecosystem of that region. Reaffirming its commitment to the principles of conservation, the development of sustainable fishing, and international cooperation, the Russian Federation resolutely supports the adoption of such urgent measures at the international level, with the participation of all interested States, in order to avoid the need for unilateral protective measures by the Russian side designed to prevent the destruction of the ecosystem of the Sea of Okhotsk.